

28 JUN 2000



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Patent Cooperation Treaty
Legal Office

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In re Application of :
MORELLE et al. :
U.S. Application No. 09/463,536 :
PCT No.: PCT/FR99/00297 : COMMUNICATION
Int. Filing Date: 11 February 1999 :
Priority Date: 26 March 1998 :
For: COMPOSITIONS FOR IMPROVING :
CROP PRODUCTION, THE QUALITY :
AND PROTECTION THEREOF :

The above-captioned application is before the PCT Legal Office for consideration of issues arising under 35 U.S.C. 371.

BACKGROUND

On 11 February 1999, applicant filed international application PCT/FR99/00297 which claimed a priority date of 26 March 1998 and which designated the United States. A copy of the international application was communicated to the United States Patent and Trademark Office from the International Bureau on 30 September 1999. A proper Demand was not filed with the International Preliminary Examination Authority prior to the 19th month from the earliest claimed priority date. As a result, the deadline for payment of the basic national fee was to expire 20 months from the priority date, or at midnight on 26 November 1999.

On 25 January 2000, applicant filed a transmittal letter requesting entry into the national stage in the United States. The transmittal letter was accompanied, inter alia, by: the basic national fee; a copy of the international application; a small entity statement; a declaration and power of attorney; and a petition under 37 CFR 1.137(b) accompanied by the requisite petition fee.

In a decision dated 11 May 2000, the petition under 37 CFR 1.137(b) was granted and the international filing date was identified as 11 February 1999 under 35 U.S.C. 363 and a 35 U.S.C.102(e) and 371(c) date as 25 January 2000.

COMMUNICATION

A review of the application file and other Patent and Trademark Office records reveals that the requirements of 35 U.S.C. 371(c) for entry into the national stage in the United States of America have not been completed as indicated in the decision mailed on 11 May 2000. Specifically, an English translation of the international application has not been provided.

The application is being returned to the DO/EO/US for processing in accordance with this notification, that is, for mailing a "NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)" (Form PCT/DO/EO/905) requiring a proper translation of the international application and surcharge under 37 CFR 1.492(f) for the late submission of the translation.



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